

CS FOR HOUSE BILL NO. 63(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 3/20/21

Referred: State Affairs

Sponsor(s): REPRESENTATIVES STUTES, Kreiss-Tomkins, Hannan, Fields, Ortiz, Drummond, Kaufman, Schrage

A BILL

FOR AN ACT ENTITLED

"An Act relating to the duties of the Department of Transportation and Public Facilities; renaming the Alaska Marine Transportation Advisory Board the Alaska Marine Highway Operations Board; relating to the membership and duties of the Alaska Marine Highway Operations Board; relating to the comprehensive, intermodal, long-range transportation plan for the state; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 19.65.011 is amended to read:

Sec. 19.65.011. Short-term and comprehensive [COMPREHENSIVE] long-range plans [PLAN]. The Department of Transportation and Public Facilities, in consultation with the Alaska Marine **Highway Operations** [TRANSPORTATION ADVISORY] Board, shall prepare a **short-term and a** comprehensive long-range plan for the development and improvement of the Alaska marine highway system and shall, in consultation with the Alaska Marine **Highway Operations**

[TRANSPORTATION ADVISORY] Board, revise and update the short-term plan annually, and the comprehensive long-range plan at least every three [FIVE] years. The department shall submit both the short-term and the comprehensive long-range plans [PLAN] and revisions and updates of the plans [PLAN] to the legislature.

* **Sec. 2.** AS 19.65.110 is amended to read:

Sec. 19.65.110. Alaska Marine Highway Operations
[TRANSPORTATION ADVISORY] Board. There is established in the Department of Transportation and Public Facilities the Alaska Marine Highway Operations [TRANSPORTATION ADVISORY] Board.

* **Sec. 3.** AS 19.65.120(a) is repealed and reenacted to read:

(a) The board is composed of the following nine members, each of whom must be a resident of the state:

(1) the head of the division of marine transportation;

(2) one representative, who may be retired, of a recognized union that represents employees of the Alaska marine highway system, appointed by the governor;

(3) one representative of an Alaska Native organization or tribe who is from a community served by the Alaska marine highway system, appointed by the governor;

(4) two public members who have experience in marine business and procurement practices, marine personnel management, commercial service options, ship maintenance, construction, and repair, fleet strategy, reliability, and regulatory compliance, or risk management, appointed by the governor;

(5) two public members who have experience in marine business and procurement practices, marine personnel management, commercial service options, ship maintenance, construction, and repair, fleet strategy, reliability, and regulatory compliance, or risk management, appointed by the speaker of the house of representatives and who serve at the pleasure of the speaker of the house of representatives;

(6) two public members who have experience in marine business and procurement practices, marine personnel management, commercial service options,

ship maintenance, construction, and repair, fleet strategy, reliability, and regulatory compliance, or risk management, appointed by the president of the senate and who serve at the pleasure of the president of the senate.

* **Sec. 4.** AS 19.65.120(c) is amended to read:

(c) The members of the board, except for the head of the division of marine transportation, shall serve staggered three-year terms. If a vacancy arises on the board, the governor, the president of the senate, or the speaker of the house, as applicable, shall, within 30 days after the vacancy arises, appoint a person to serve the balance of the unexpired term. A person appointed to fill the balance of an unexpired term shall serve on the board from the date of appointment until the expiration of the term.

* **Sec. 5.** AS 19.65.120(d) is amended to read:

(d) A [BOARD MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR. IN ADDITION, A] majority of the membership of the board may remove a member, except for the head of the division of marine transportation, if that member misses more than two meetings in a calendar year and has not been previously excused.

* **Sec. 6.** AS 19.65.180 is amended by adding a new subsection to read:

(e) The board shall provide advice and recommendations to the commissioner of transportation and public facilities concerning the operation and management of the Alaska marine highway system, including advice and recommendations regarding business to enhance revenue and reduce costs, personnel management, commercial service options, ship maintenance, construction, and repair, fleet strategy, reliability, and regulatory compliance, and other service objectives.

* **Sec. 7.** AS 19.65.195 is amended to read:

Sec. 19.65.195. Definition. In AS 19.65.110 - 19.65.195, "board" means the Alaska Marine Highway Operations [TRANSPORTATION ADVISORY] Board.

* **Sec. 8.** AS 44.42.050(a) is amended to read:

(a) The commissioner shall develop a comprehensive, intermodal, long-range transportation plan for the state. The commissioner shall incorporate the comprehensive long-range plan prepared under AS 19.65.011 into the plan

developed under this section. The plan may be developed in multiple documents that address logical components, including geographic areas, modes of transportation, transportation corridors, systems, and other distinct subjects relevant to transportation planning. The components of the plan shall be revised as the commissioner determines appropriate. In developing and revising the state plan, the commissioner shall conform to the requirements for the eligibility and use of federal and other funds, as applicable. Upon approval of each component of the plan by the commissioner, the commissioner shall transmit notice of the approval of that component to the governor and to the legislature.

* **Sec. 9.** AS 19.65.120(b) is repealed.

* **Sec. 10.** The uncoded law of the State of Alaska is amended by adding a new section to read:

ALASKA MARINE HIGHWAY OPERATIONS BOARD; TRANSITION. (a) The terms of members who fill seats on the Alaska Marine Transportation Advisory Board under AS 19.65.120(a), as it read on the day before the effective date of this Act, expire on the effective date of this Act.

(b) Notwithstanding AS 19.65.120(c), as amended by sec. 4 of this Act, and AS 39.05.055, the seats on the Alaska Marine Highway Operations Board established by AS 19.65.120(a), as repealed and reenacted by sec. 3 of this Act, shall be filled as follows:

(1) the two public members appointed by the governor shall serve one-year terms;

(2) the representative of an Alaska Native organization or tribe appointed by the governor shall serve a one-year term;

(3) the members appointed by the speaker of the house of representatives shall serve two-year terms;

(4) the union representative appointed by the governor and the members appointed by the president of the senate shall serve three-year terms.

(c) The head of the division of marine transportation begins membership on the Alaska Marine Highway Operations Board on the effective date of this Act.

(d) Nothing in this section prevents the appointment of a person whose term expires under (a) of this section to the Alaska Marine Highway Operations Board, provided that the

- 1 person meets the qualifications in AS 19.65.120(a), as repealed and reenacted by sec. 3 of this
- 2 Act.
- 3 * **Sec. 11.** This Act takes effect January 1, 2022.